TABLE OF CONTENTS

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	006-00590-5800-145	Date:	4-30-2006	Time:	1750 hrs.
Location:	Medical Services Bureau Section 342, Cell # 4243				
City or Station:					
Bureau/Station/Facility:	Twin Towers Correctional Facility	Admin. Investigation: YES ☐ NO ☒			

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lingasin	Christine	S.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		36	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted] Booking # [redacted]				

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		31	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]			[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Gutierrez	David	J.	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Bisaha	Steven	J.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Antuna	Charles	

Watch Commander's Signature: [signature] Emp #: [redacted]

Copy Provided to Employee by: Larry L. Landreth , Sgt Emp #: [redacted]

Supervisor Completing Form: Larry L, Landreth, Sgt. [initials] Emp #: [redacted]
(Print)

Unit Commanders Signature: ______________________ Emp #: ________ Date Signed: ________

PSTD Use Only
FO# 2169467

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 006-00590-5800-145

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PH	CP	LE, CH
E#1	S#1	PH	FR	NO
E#2	S#1	PH	FR	HE
E#3	S#1	PH	FR	HE
E#4	S#1	PK	FR	HE

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 006-00590-5800-145

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Rodriguez	Luis	

- Sex: ☒ Male ☐ Female
- Race: Hispanic
- Unit of Assignment: TTCF
- Work Assignment (Unit #, Module, etc.): MSB 342
- Shift: ☐ EM ☐ Day ☒ PM
- ☒ Regular Shift ☐ OT Shift ☐ Off Duty
- Age: [redacted]
- Height: 5-09
- Weight: 190
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case #
- Directed Force ☐
- Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Beserra	Paul	R.

- Sex: ☒ Male ☐ Female
- Race: Hispanic
- Unit of Assignment: TTCF
- Work Assignment (Unit #, Module, etc.): MSB 342
- Shift: ☐ EM ☐ Day ☒ PM
- ☐ Regular Shift ☒ OT Shift ☐ Off Duty
- Age: [redacted]
- Height: 5-11
- Weight: 190
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case#
- Directed Force ☐
- Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Varela	Blanca	

- Sex: ☐ Male ☒ Female
- Race: Hispanic
- Unit of Assignment: TTCF
- Work Assignment (Unit #, Module, etc.): MSB 342
- Shift: ☐ EM ☐ Day ☒ PM
- ☒ Regular Shift ☐ OT Shift ☐ Off Duty
- Age: [redacted]
- Height: 5-02
- Weight: 125
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case#
- Directed Force ☐
- Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Corral	Enrique	J.

- Sex: ☒ Male ☐ Female
- Race: Hispanic
- Unit of Assignment: TTCF
- Work Assignment (Unit #, Module, etc.): MSB 342
- Shift: ☐ EM ☐ Day ☒ PM
- ☒ Regular Shift ☐ OT Shift ☐ Off Duty
- Age: [redacted]
- Height: 5-08
- Weight: 160
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case#
- Directed Force ☐
- Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

- Sex: ☐ Male ☐ Female
- Race:
- Unit of Assignment:
- Work Assignment (Unit #, Module, etc.):
- Shift: ☐ EM ☐ Day ☐ PM
- ☐ Regular Shift ☐ OT Shift ☐ Off Duty
- Age:
- Height:
- Weight:
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case#
- Directed Force ☐
- Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

- Sex: ☐ Male ☐ Female
- Race:
- Unit of Assignment:
- Work Assignment (Unit #, Module, etc.):
- Shift: ☐ EM ☐ Day ☐ PM
- ☐ Regular Shift ☐ OT Shift ☐ Off Duty
- Age:
- Height:
- Weight:
- Medical Exam/Treatment ☐
- If Admitted, Name of Hospital: ______
- Coroner Case#
- Directed Force ☐
- Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 006-00590-5800-145

Suspect Information

S1

Last Name	Tashgian	First Name	Levon	Middle Name	Shant
AKA Last Name		First Name		Middle Name	

Sex:	Race:	Street Address:	City:	State & Zip Code:
☒ Male ☐ Female	O	[redacted]	[redacted]	[redacted]

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
[redacted]	[redacted]	30	6-00	07-24-1975	230	☐

Booking #: 8787968 Primary Charge: 245 (a)(1) PC Secondary Charge: Criminal Histor[redacted]

Hospital Admission? ☒ Rec'd Treatment At: LCMC Coroner Case#: Mental History ☒

Under Influence: ☐ YES ☒ NO Substance: ____________ | Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date:	Time:		
4-30-06/ 5-01-06	1855/ 1645	Audiotape: ☒	Videotape: ☒

Suspect Information

S_

Last Name		First Name		Middle Name	
AKA Last Name		First Name		Middle Name	

Sex:	Race:	Street Address:	City:	State & Zip Code:
☐ Male ☐ Female				

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____________ | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name		First Name		Middle Name	
AKA Last Name		First Name		Middle Name	

Sex:	Race:	Street Address:	City:	State & Zip Code:
☐ Male ☐ Female				

Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ____________ | Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SIGNIFICANT FORCE INCIDENT EVALUATION

UNIT:	Twin Towers Correctional Facility
DATE:	April 30, 2006, Sunday
TIME:	1750 hours
LOCATION:	Twin Towers Correctional Facility, MSB 4243
URN#:	006-00590-5800-145
IAB#:	FO2169467

NATURE OF INCIDENT:

At approximately 1750 hours on April 30, 2006, Twin Tower Correctional Facility Deputies Luis Rodriguez, Paul Beserra, Blanca Varela, and Enrique Corral were involved in a significant force incident where the suspect, Levon Tashgian, was diagnosed with fractures to the left eye orbital bone and left nasal wall, along with facial abrasions.

Deputy Rodriguez, #[redacted] and Deputy Varela, #[redacted] were contacted by Department of Mental Health Staff Nurse Christine S. Lingasin, #[redacted] and informed that Inmate Tashgian had to be moved from his assigned cell to another cell. At about 1740 hours, Deputies Rodriguez, Varela, and Beserra approached Tashgian's cell and directed him to ready himself to be moved. Deputy Varela opened the cell door and Deputy Rodriguez directed the inmate to follow him. Deputy Rodriguez turned and began to walk ahead of the inmate toward cell M4227. When Deputy Rodriguez walked around the corner, Inmate Tashgian suddenly pushed the door open, forced his way past the deputies and ran after Rodriguez. Deputy Beserra yelled out to Deputy Rodriguez to watch out for the inmate and when Rodriguez turned around the inmate was on top of him, attacking Rodriguez. Deputies Varela, Beserra, and Corral, who exited the officer's booth, assisted Rodriguez, attempting to control the inmate. After numerous punches to the face and body did not stop the inmate's attack, Deputy Corral delivered two kicks to the inmate's head and two punches which stopped the inmate's attack. The inmate was taken into custody.

Inmate Tashgian was transported to L.C.M.C. for examination and treatment, where an examination by Dr. Ley revealed fractures to the left orbital and nasal wall areas. He also sustained abrasions to the face from the force used.

Internal Affairs Bureau Lieutenant Stacy Lee was notified and Sergeants Larry Landreth and Clay Anderson responded to Twin Towers Correctional Facility to conduct an administrative review of the incident.

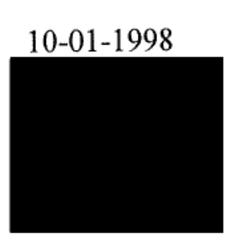
The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

Rodriguez, Luis - Deputy Sheriff, Employee #[redacted]
Twin Towers Correctional Facility
Custody Operations Division

EMPLOYEE'S WORK HISTORY:

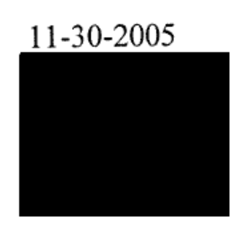
Date of Employment: 10-01-1998
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:


[redacted]

Beserra, Paul R. - Deputy Sheriff, Employee #[redacted]
Twin Towers Correctional Facility
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 11-30-2005
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:


[redacted]

Corral, Enrique - Deputy Sheriff, Employee #[redacted]
Twin Towers Correctional Facility
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 01-17-2002
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:
[redacted]

Varela, Blanca- Deputy Sheriff, Employee #[redacted]
Twin Towers Correctional Facility
Custody Operations Division

EMPLOYEE WORK HISTORY:

Date of Employment: 06-19-2000
Date Assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:
[redacted]

INVOLVED SUSPECT:

Tashgian, Levon Shant, M/30, Booking #8787968, DOB: 07-24-1975
[redacted]
Booking Charges: 245(a)(1) Penal Code
CII:[redacted] Main#:[redacted] FBI#[redacted]

Involved Suspect Criminal History:
[redacted]
Refer to the CCHRS printout included in this review. **(Refer to Exhibit F)**

INVOLVED DEPUTY WITNESSES:

None

INMATE WITNESSES:

1. [redacted] Booking#[redacted] MA[redacted]
2. [redacted] Booking#[redacted] MO[redacted]

WITNESSES:

1. **Lingasin, Christine**, R.N., #[redacted] Department of Mental Health Services, 450 S. Bauchet Street, Los Angeles, CA., (213) 893-5391

INVOLVED EMPLOYEE STATEMENTS

Deputy Luis Rodriguez, #[redacted] was interviewed on May 1, 2006, by Sergeants Larry Landreth and Clay Anderson. The interview took place in the Custody Division 8th Floor Conference Room. Deputy Rodriguez agreed to interview without representation and the interview was recorded for review. Deputy Rodriguez said on April 30, 2006, at about 1330 hours, he and Deputy Varela were approached by Department of Mental Health Nurse Lingasin who said she needed Inmate Tashgian moved from his assigned cell,M4243, into M4227. At about 1750 hours, Deputies Rodriguez, Varela, and Beserra approached Tashgian's cell and directed him to stand up, place his hands in his pockets and prepare to be moved to another cell. Inmate Tashgian complied with their direction and Deputy Varela keyed open the cell door. Deputy Rodriguez turned and started to walk toward Tashgian's new cell to open the door in anticipation of Tashgian's arrival. Deputy Rodriguez said as he walked away he saw Deputies Varela, Beserra, and Corral escorting the inmate.

Deputy Rodriguez said after he had walked about five feet ahead, around the corner **(Refer to Exhibit I-4)**, he heard someone (Deputy Beserra) yell out, "Watch your back!" Deputy Rodriguez said he turned around and saw Inmate Tashgian running at him, wildly swinging his arms. Deputy Rodriguez said he began to block the punches, and back-peddle in an effort to increase distance between the inmate and him. The inmate grabbed onto Rodriguez' uniform shirt, ripped it open, and pushed him backward. Deputy Rodriguez lost his footing and they both fell to the floor. Deputy Rodriguez said Inmate Tashgian was able to get to a seated position and began kicking Rodriguez violently and swinging his arms. Deputy Rodriguez was pinned up against a wall and had no where to retreat.

Deputy Rodriguez said he saw Deputy Varela arrive and she grabbed onto Tashgian's jail shirt, pulling him away and onto his back. Deputy Rodriguez was able to move away from Tashgian's punching and kicking, get up and he punched Tashgian twice in his face. Deputy Rodriguez said he ordered Tashgian to stop fighting, but Tashgian continued to fight. Deputy Rodriguez said he punched the inmate approximately ten times on the right ribcage to gain control. Rodriguez said he saw Deputies Beserra and Corral attempt to gain control of Tashgian's upper body, but Tashgian continued to swing and kick.

Deputy Rodriguez said after several seconds of struggling with Tashgian, he was able to control the inmate's left arm and Beserra controlled the inmate's right arm. He said he saw Deputies Varela and Beserra punch the inmate and he saw Deputy Corral kick the inmate twice on the upper body. They rolled the inmate over onto his stomach and Deputy Varela handcuffed

Tashgian. Deputy Rodriguez said he reported his force to Lieutenant Charles Antuna and Sergeant Gutierrez.

Deputy Rodriguez said the area of MSB where the incident took place housed inmates who were psychiatric patients, inmates on psychiatric medication and some developmentally disabled inmates. There is a system where magnetic placards are used to identify hostile, combative or inmates that are not to have their cell doors open unless custody staff are present **(Refer to Exhibit I-3)**. These signs are placed above the cell door and will travel with the inmate if he/she is moved to another cell. Deputy Rodriguez said there were no placards on Inmate Tashgian's cell door.

Deputy Rodriguez said when Nurse Lingasin came to him at the beginning of his shift and requested Inmate Tashgian be moved, he told her it would have to be after 1730 hours because the cells had to be cleaned prior to any inmate movement.

Deputy Rodriguez said Inmate Tashgian was acting agitated at the beginning of his shift. He saw the inmate kicking at his cell door for around ten minutes. Rodriguez said Tashgian calmed down and he saw no additional agitation after that. Rodriguez said he had worked this area of TTCF for around two and one-half years and had dealt with Tashgian several months earlier with no problems or concerns.

IAB Note: Refer to Exhibit H, "Observation Record CTC", this is a checklist prepared by the DMHS Nursing Staff recoding their observations of an inmate. It should be noted on the sheet for April 30, 2006, no notations were made that the inmate was agitated, angry, cursing, or beating the door. By all notations, it appeared that Inmate Tashgian was calm throughout the day.

Deputy Rodriguez explained there are six deputies and custody assistant personnel assigned to the floor, primarily because of the type of inmates housed on the floor. He said they generally use between three and four personnel to move an inmate, unless the situation warranted more. He also said they routinely move inmates because of a nursing staff request. Deputy Rodriguez said it was left up to his and the other personnel's judgement to handcuff an inmate prior to a move. He said there are only a limited number of cells that have tray slots, alloowing the personnel to handcuff the inmates prior to removing them. He said these cells are reserved for the hostile and assaultive inmates assigned to the floor. He did not believe Inmate Tashgian was a risk to move because of prior contact with him and he had calmed down considerably since the beginning of the shift.

Deputy Rodriguez said prior to moving there was no discussion between Deputies Varela, Beserra, Corral, and himself on how they were going to move the inmate. Rodriguez said there was no consideration for the need of a Taser or the presence of a supervisor because the inmate appeared to be co-operative. The only discussion between the deputies was that Tashgian had to

be moved from his cell to M4227. He said he did not explain to Deputy Beserra, a [redacted] assigned deputy [redacted], any plan, other than to follow their lead. Rodriguez said he had worked with Deputies Varela and Corral for over one year on that floor.

Deputy Rodriguez said when he turned and saw Inmate Tashgian coming directly at him, he believed Tashgian was intentionally trying to attack him. Rodriguez said he was more convinced when he tried to back-peddle away and Tashgian had ample space to run past Rodriguez if his intention was to escape.

IAB Note: refer to Exhibit A for a copy of Rodriguez' incident report documenting his actions, observations and use of force, under the file # 006-00590-5800-145.

Deputy Blanca Varela, #[redacted] was interviewed on May 1, 2006, by Sergeants Larry Landreth and Clay Anderson. The interview took place in the Custody Division 8th Floor Conference Room. Deputy Varela agreed to interview without representation and the interview was recorded for review. Deputy Varela said on April 30, 2006, at the beginning of the shift a nurse approached she and Deputy Rodriguez about a needed move of Inmate Tashgian and two other inmates assigned to other cells. She and Deputy Rodriguez told the nurse the move would have to wait until the cells were cleaned. At about 1745 hours, a janitor arrived on the floor and the cells were cleaned for the pending inmate movement.

Deputy Varela said she and Deputy Rodriguez decided to move Inmate Tashgian first because they believed he was the most cooperative of the three inmates to be moved. Deputy Varela said she had dealt with Inmate Tashgian several months prior and had no problems with the inmate. Deputy Varela, Rodriguez and Beserra went to Inmate Tashgian's cell to move him. She said Deputy Corral was standing in front of the Officer's Booth, located directly across from Tashgian's cell. Deputy Varela told the inmate to stand up, tuck his shirt in his pants, and place his hands in his pockets. Tashgiam complied without hesitation. She saw Deputy Rodriguez turn and walk toward cell #18. Deputy Varela keyed open the door, stepped back and started to open the door. The inmate suddenly pushed the door open and ran out of the cell toward Deputy Rodriguez wildly swinging his arms. She heard Deputy Beserra yell out to Deputy Rodriguez and she began to chase after the inmate. Varela saw Deputy Rodriguez turn around and begin to defend himself from Tashgian's attack while stepping back. She saw the inmate grab onto Rodriguez' uniform shirt and they both fell to the floor. The inmate began kicking Deputy Rodriguez and Deputy Varela said she grabbed onto the inmate's jail shirt with one hand and punched the inmate twice on the face with her other hand. Varela said Deputy Rodriguez was able to get away, stand up and she saw him punch the inmate several times.

Inmate Tashgian began to kick Deputy Varela several times on her legs **(Refer to Exhibit I-1 for her injuries)** and she ordered him to stop. Tashgian refused and tried to get to his feet. Varela said she punched the inmate twice on the right side of his face. Varela said she saw

Inmate Tashgian strike at Deputy Beserra with his elbows while Beserra was attempting to gain control of one arm. She saw Deputy Corral kick the inmate twice on the right side of his face with his foot. She heard Corral order Tashgian to stop fighting and she saw Corral strike the inmate twice on the left side of the face with his fist and again order the inmate to stop fighting and lay onto his stomach. Deputies Rodriguez and Beserra were able to gain control of the inmate's arms and roll him over onto his stomach, when Deputy Varela place handcuffs on the inmate's wrist.

Deputy Varela said she decided not to handcuff Inmate Tashgian because she had not had any problems with him and believed he would be cooperative. Her belief was confirmed when he immediately complied with her directions. She said if she had any concern for her safety, she would have handcuffed the inmate prior to moving him. Varela said she believed Inmate Tashgian was intent on attacking Deputy Rodriguez because Tashgian could have easily gone after her instead of Rodriguez. Deputy Varela said there was no magnetic placard on Tashgian's door when they moved him. She added, since the incident on April 30, 2006, a magnetic "assaultive" sign had been placed on Tashgian's door.

> **IAB Note: refer to Exhibit B for Deputy Varela's supplemental report under file number 006-00590-5800-145.**

Deputy Paul Beserra, #[redacted] was interviewed on May 1, 2006, by Sergeants Larry Landreth and Clay Anderson. The interview took place in the report writing room at TTCF, across from the watch commander's office. Deputy Beserra agreed to interview without representation and the interview was recorded for review. Deputy Beserra said on April 30, 2006, at about 1750 hours, he was asked by Deputy Varela to assist her and Deputy Rodriguez in moving three inmates to new cells.

Deputy Beserra said he had been assigned at TTCF for two weeks and was being [redacted] by Deputy Lockhart on the dayshift. Deputy Beserra had been [redacted] for overtime on the P.M. for April 30, 2006. Deputy Beserra said he had been taught that MSB342 section housed inmates who were high risk, assaultive to custody staff, "spitters" and mentally unstable inmates.

Deputy Beserra relayed the same statement as Deputy Varela except for the following: Deputy Beserra said he believed there was a magnetic sign on Inmate Tashgian's cell door indicating he was hostile. Beserra said when the inmate ran after deputy Rodriguez, he and Deputy Corral ran after the inmate to detain him. Beserra saw Deputies Rodriguez and Varela fighting to control the inmate and Beserra reported he punched the inmate three times on the right side of his face. Deputy Beserra said he attempted to control the inmate's left arm and ordered him to stop fighting. The inmate refused and continued to kick at Deputies Rodriguez and Varela while elbowing Bessera in the stomach. Deputy Beserra punched the inmate about five times on the right rib area and again ordered Tashgian to stop fighting. Believing Tashgian was not going to stop and was going to hurt the deputies, Beserra punched the inmate four additional times on the

right rib area. Deputy Beserra said he along with Deputies Rodriguez and Varela were able to gain control of the inmate and place him on his stomach, in handcuffs. Deputy Beserra said he did not see what force the other deputies used. He added that this was his [redacted] use of force in the jail and he was pretty excited.

IAB Note: refer to Exhibit C for a copy of Beserra's supplementary report documenting the incident, his force used and observations, under the file # 006-00590-5800-145.

Deputy Enrique Corral, #[redacted] was interviewed on May 1, 2006, by Sergeants Larry Landreth and Clay Anderson. The interview took place in the Custody Division 8th Floor Conference Room. Deputy Corral agreed to interview without representation and the interview was recorded for review.

Deputy Corral said on April 30, 2006, at about 1745 hours, he was working inside of the MSB342 Officer's Booth. He saw Deputies Rodriguez, Varela, and Beserra approach Inmate Tashgian's cell located across from the Officer's Booth **(Refer to Exhibit I-3)**. Deputy Rodriguez told Corral they were going to move the inmate from cell #4 to Cell #18. Deputy Corral said he did not know why the inmate had to be moved. He said it was common for the nursing staff to request inmate movement without any explanation. Deputy Corral said earlier in their shift Inmate Tashgian appeared to have been agitated and kicking at his cell door. Deputy Rodriguez told Tashgian to stop the kicking the door and he did.

Deputy Corral watched as Deputy Varela told the inmate to stand up, pick up his personal belongings, tuck his shirt inside of his pants, and place his hands inside his pockets. The inmate did as he was told and stood in front of his cell door. Deputy Corral said he saw Deputy Rodriguez turn and walk away toward cell #18. As soon as Deputy Varela keyed open the cell door, Inmate Tashgian bolted from inside, began to swing his arms, and ran in the direction of Deputy Rodriguez. Deputy Rodriguez had walked around the corner and was out-of-sight from Corral. Corral saw Deputy Varela immediately run after the inmate and he heard Deputy Beserra yell out to Rodriguez, "Watch your back!"

Deputy Corral said he ran from the Officer's Booth and toward the deputies. As he came around the corner, Corral saw the inmate grabbing onto Deputy Rodriguez' shirt and both of them fall to the floor. Corral said he saw the inmate sit up and begin to violently kick at Deputy Rodriguez. Corral said he saw Deputy Varela on the inmate's right side and Deputy Beserra was on Tashgian's left side. Deputy Beserra ordered the inmate to stop fighting several times without success.

Deputy Corral saw that neither deputy was able to gain control of the inmate who swung wildly at them and kicked at both Deputies Rodriguez and Varela. Deputy Corral said the inmate's kicks and elbows were making contact with the deputies. He said that it also appeared to him

that Deputy Rodriguez was trapped between the inmate and the wall and could not gain a position of advantage. Corral said he believed the deputies were unable to gain control of the inmate and the inmate was going to inflict serious injury to Deputy Rodriguez. Deputy Corral said the only target available to him was the head, because both Varela and Beserra were covering each side of the upper body and the inmate was on his side or stomach. Corral said he believed the nature of the attack warranted a strike to a vital area on the inmate. Corral kicked the inmate twice on the right side of his face with his right foot.

IAB Note: Deputy Corral was asked what type of footwear he was wearing on April 30, 2006. He said he was wearing the same boots that he had on May 1, 2006. Sergeants Landreth and Clay inspected the boots and they were Danner combat boots without steel capped toes.

Corral said he ordered the inmate to stop fighting, but he continued to punch, kick and elbow the deputies. Deputy Corral said he punched the inmate twice on the left side of the face while ordering him to stop fighting. After the two punches, Deputies Beserra and Rodriguez were able to gain control of the inmate's arms and turned him over onto his stomach. Deputy Varela placed handcuffs on Tashgian and a nurse was summoned to examine the inmate.

Deputy Corral said he received an injury to his left "pinkie" finger during the altercation **(Refer to Exhibit I-2)**.

IAB Note: refer to Exhibit D for Deputy Corral's supplemental report under file number 006-00590-5800-145.

INMATE'S STATEMENT:

Inmate Levon Tashgian was interviewed on May 1, 2006, by IAB Investigators, Sergeants Landreth and Anderson. The interview took place in Tashgian's cell and was recorded.

Inmate Tashgian admitted to attacking Deputy Rodriguez because he had taken his shoes away from him earlier in the shift. He said he wanted to hurt the deputy because he was angry at him.

IAB Note: Deputy Rodriguez stated he did not take Inmate Tashgian's shoes.

IAB Note: Inmate Tashgian was interviewed on April 30, 2006, by Sergeant David Gutierrez. The interview was recorded on DVD. Inmate Tashgian said he had heard voices inside of his head telling him to get away. When the deputy opened the door he ran at Deputy Rodriguez and pushed him. Tashgian admitted to kicking the deputy.

INMATE WITNESS STATEMENTS:

Inmate [redacted] Booking# [redacted] was interviewed on April 30, 2006, by TTCF Sergeant David Gutierrz and Lt. Antuna. The interview took place in his cell and was video tape recorded.

Inmate [redacted] was housed in Cell# [redacted] said he saw Inmate Tashgian run from Cell #4 and chase after a deputy. [redacted] said he saw the Tashgian try to beat up the deputy and the other deputies hit the inmate. Inmate [redacted] said he believed the deputies made the correct choice in fighting with Tashgian.

Inmate [redacted] Booking# [redacted] was interviewed on April 30, 2006, by TTCF Sergeant David Gutierrz and Lt. Antuna. The interview took place in his cell and was video tape recorded.

Inmate [redacted] said he was inside of his cell, # [redacted] and saw Inmate Tashgian run from his cell when the deputies opened the cell door. Tashgian ran after Deputy Rodriguez and was wildly swinging his fists at Rodriguez. He said he saw Tashgian hit Rodriguez three or four times. [redacted] saw Deputy Rodriguez throw Tashgian to the floor and the other deputies run to Rodriguez and assist him in taking control of Tashgian. Inmate [redacted] said he did not see any deputy kick the inmate.

EMPLOYEE WITNESS STATEMENTS:

Departmental of Mental Health Services Staff Nurse Christine Lingasin, # [redacted] was contacted on July 19, 2006. She was asked as to the reason for the move of Inmate Tashgian on April 30, 2006. Her response was:

> " As a team leader of the day, I was assigned to relay to the custody staff the decision to move pt(patient) to another cell. It was Nursing Staff's decision to have the patient be moved farther from the deputy's booth since pt was noted to be overly stimulated and agitated in his cell. He was constantly crying, tapping/banging on the door and demanding to go home. (At that time, pt was in a cell directly in front of the deputy's booth). As observed, a couple of days prior to incident pt was at another cell (far from deputy's booth) and was noted to be calm and quiet. Because of these the nursing staff deemed that the movement would be more therapeutic for the patient." **(Refer to Exhibit L for a copy of the response).**

SUSPECT INJURIES:

Inmate Tashgian was transported to L.C.M.C., where he was examined by medical staff. Tashgian was diagnosed with fractures to the left orbital and nasal wall. He also sustained abrasions to his face. He was treated and released to go back to his MSB cell.

Deputy Personnel:

Deputy Rodriguez sustained a minor sprain to his left little finger. Deputy Varela sustained bruising to her right knee.

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene.

INVESTIGATOR OBSERVATIONS:

None

WEAPONS USED BY DEPUTY PERSONNEL:

Personal weapons, shod foot and hands.

WEAPONS USED BY SUSPECTS:

Personal weapons, feet.

PROPERTY DAMAGE:

No property was reported damaged.

CRIMINAL INVESTIGATOR:

No criminal charges were filed against Inmate [redacted]

LIGHTING AND WEATHER CONDITIONS:

The incident took place inside of a custody facility. There was ambient lighting and lighting provided by overhead lights. Weather conditions did not apply.